

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

**Plaintiff,**

-vs-

**Case No. 3:18-cr-186**

BRIAN HIGGINS,

**Defendant.**

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**ORDER FOR MENTAL HEALTH EVALUATION**

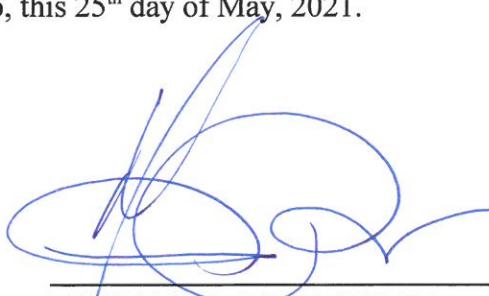
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The above captioned case is before the Court for consideration of whether the Defendant is competent to assist in his own defense. Defendant's behavior raises questions about his competence. Counsel for the Defendant has moved for an evaluation of competency (doc.78). The Government has no objections.

Accordingly, the Court finds there is good cause to believe Defendant is not competent, and therefore finds, pursuant to 18 U.S.C. § 4241(a), that there is reasonable cause to believe that the Defendant is presently suffering from a mental disease or defect rendering him incompetent to the extent that he is unable to properly assist in his defense or to understand the nature and consequences of the proceedings.

Therefore, pursuant to 18 U.S.C. § 4247(b), the Court **ORDERS** that the Defendant be committed to the custody of the Attorney General of the United States for a period not to exceed forty-five (45) days for placement at FCI Butner in Butner, North Carolina or in the alternative a suitable facility to undergo an evaluation for determination of mental competency to stand trial pursuant to 18 U.S.C. §4241(a). The mental health professional designated to conduct the examination shall file a prompt report with this Court pursuant to 18 U.S.C. §4247 (b) and (c).

**DONE and ORDERED** in Dayton, Ohio, this 25<sup>th</sup> day of May, 2021.



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THOMAS M. ROSE, JUDGE  
UNITED STATES DISTRICT COURT